

HB 1277 -- LIMITED DRIVING PRIVILEGES

SPONSOR: English

This bill allows a limited driving privilege to be granted to a person whose driver's license has been suspended due to child support arrearage. In its main provisions, the bill:

- (1) Requires a person with a suspended license to make written application with the Director of the Department of Revenue for a limited driving privilege and his or her reasons for the request;
- (2) Allows the department director to authorize a limited driving privilege to a person under certain circumstances, including the operation of a motor vehicle in connection with a business, occupation, or employment; seeking medical treatment; attending school; or any other circumstance the department director finds would create an undue hardship;
- (3) Requires a person granted a limited driving privilege to submit to the department director a \$2,000 fee that will be applied toward the operator's child support arrearage. The fee must be paid within 10 days of the issuance of the privilege, and if unpaid, it will result in immediate revocation of all driving privileges;
- (4) Requires the limited driving privilege to indicate the termination date of the privilege, which cannot be later than the end of the driving suspension period;
- (5) Requires the applicant to carry the limited driving privilege while operating a motor vehicle;
- (6) Specifies that a conviction for a moving violation where points are assessed against a license, other than a violation of a municipal stop sign ordinance where no accident is involved, terminates the limited driving privilege;
- (7) Specifies that failure of the driver to maintain proof of financial responsibility will terminate the privilege;
- (8) Allows the department director to notify a person regarding the termination of a limited driving privilege by ordinary mail;
- (9) Prohibits a limited driving privilege to be issued to a person who possesses a commercial driver's license for the purpose of operating a commercial motor vehicle if the person's driving privilege is suspended for child support arrearage; and

(10) Allows an applicant who has been denied a request of a limited driving privilege by the department director to request a review of the determination in the circuit court of the county where the applicant resides or the county of the applicant's principal place of business or employment. The request for appeal must be made within 30 days of the date of the mailing of the notice of denial. The review must be based on the records of the department and other competent evidence and be limited to whether the applicant is entitled by state law to the limited driving privilege.